

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Mark Edwin Albertson,

Civ. No.: 07-3855 (JNE/JJK)

Petitioner,

v.

ORDER

Lynn Dingle, Warden;

Respondent.

Mark Edwin Albertson, Inmate No. 215253, Minnesota Correctional Facility, 970 Pickett Street, Bayport, Minnesota 55003, Petitioner, *pro se*.

Michelle Winkis, Chief Assistant Clay County Attorney, 807 11th Street North, P.O. Box 280, Moorhead, Minnesota 56561, for Respondent.

The above matter comes before this Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated July 30, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, this Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Petitioner's Petition For Writ of Habeas Corpus (Doc. No. 1), be

DENIED; and

2. This action be **DISMISSED WITH PREJUDICE.**

Date: September 2, 2008

Ss/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge